

REMARKS

Claims 1-8 and 21-24 are pending. In the Office Action, claims 1-8 and 21-24 were rejected under 35 U.S.C. §102(b) as being anticipated by admitted prior art. Claims 1-8 and 21-24 were rejected under 35 U.S.C. §102(b) as being anticipated by Halliday (USPN 3,614,481). Claims 1-8 and 21-24 were rejected under 35 U.S.C. §112 second paragraph. These rejections are respectfully traversed. Also, in another restriction requirement, claims 25-32 were withdrawn from consideration as being directed to an invention that is independent or distinct from the invention originally claimed.

INTERVIEW CONDUCTED

The Applicant wishes to thank Examiner Nguyen and SPE Vo for granting the personal interview conducted on January 20, 2004. During the interview, the 112 2nd paragraph rejection and the prior art rejections over Halliday and the admitted prior art were discussed. It was agreed that if claim 1 was amended to include "having a size of a micrometer scale or smaller" for the moveable component and protrusions and to further include steps of "positioning" instead of "providing" for the moveable components and protrusions, the 112 2nd paragraph rejection would be overcome. These amendments are provided herein, and thus the Applicant respectfully requests withdrawal of the 112 2nd paragraph rejection.

It was also agreed that neither Halliday nor the admitted prior art teach or suggest the moveable component and protrusions having a size of a micrometer scale or smaller. Accordingly, claims 1-8 and 21-24 are believed to be in condition for allowance.

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RESTRICTION REQUIREMENT

In the previous amendment, filed October 23, 2003, the Applicant added new claims 25-32. The restriction requirement in this Office Action indicated that these claims are directed to an independent or distinct invention from the invention as originally claimed. The restriction requirement further indicated that claims 25-32 are unilaterally withdrawn from consideration as being directed to a non-elected invention. The Applicant respectfully disagrees with this restriction requirement, because the restriction requirement has failed to provide a prima facie showing that a serious burden would be placed on the Examiner. See MPEP § 803. However, to further expedite prosecution, claims 25-32 are cancelled herein and a notice of allowability is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 112 2nd Paragraph

Claims 1-8 and 21-24 were rejected under 35 U.S.C. § 112 2nd paragraph. As agreed in the interview, the amendments to claim 1 are believed to have overcome the rejection under 112 2nd paragraph, and the Applicant respectfully requests withdrawal of this rejection.

REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1-8 and 21-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Halliday. Also, claims 1-8 and 21-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by admitted prior art.

When making a rejection under 35 U.S.C. § 102, a necessary condition is that the reference must teach every aspect of the claimed invention either explicitly or impliedly. (see MPEP, § 706.02). If any claimed element is missing from the applied reference, then the claim is distinguishable over the reference.

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Independent claim 1 recites the moveable component, the first protrusion and the second protrusion have a size of a micrometer scale or smaller. As agreed in the interview, neither Halliday nor the admitted prior art teach or suggest a movable component or protrusion having a size of a micrometer scale or smaller. Accordingly, claims 1-8 and 21-24 are believed to be allowable.

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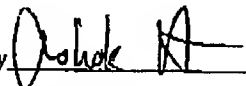
CONCLUSION

As all of the outstanding rejections have been traversed and all of the claims are believed to be in condition for allowance, the Applicant respectfully requests issuance of a Notice of Allowability. If the undersigned attorney can assist in any matters regarding examination of this application, the Examiner is encouraged to call at the number listed below.

Respectfully submitted,

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By



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